



General Assembly

February Session, 2008

Raised Bill No. 5860

LCO No. 2871

02871_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING NOTIFICATION OF A FAMILY OR
HOUSEHOLD MEMBER AFTER A MOTOR VEHICLE FATALITY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-108a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) (1) The Commissioner of Transportation shall prescribe for the
4 Division of State Police within the Department of Public Safety and for
5 each police department and officer and other suitable agencies or
6 individuals a uniform investigation of accident report, in such form as
7 the commissioner shall prescribe, which form shall be followed in
8 filing all such reports.

9 [(b)] (2) In each motor vehicle accident in which any person is killed
10 or injured or in which damage to the property of any one individual,
11 including the operator, in excess of one thousand dollars is sustained,
12 the police officer, agency or individual who, in the regular course of
13 duty, investigates such accident, either at the time of or at the scene of
14 the accident or thereafter, by interviewing the participants or
15 witnesses, shall, within five days after completing such investigation,

16 complete and forward one copy of such report to the Commissioner of
17 Transportation. Such report shall call for and contain all available
18 detailed information to disclose the location and cause of the accident,
19 the conditions then existing, the persons and vehicles involved and the
20 names of the insurance companies issuing their automobile liability
21 policies, as well as the enforcement action taken. The Commissioner of
22 Transportation shall forward to the Commissioner of Motor Vehicles
23 one copy of each report of any accident involving a school bus. The
24 Commissioner of Motor Vehicles may inquire into or investigate any
25 accident reported pursuant to this subsection and may request the
26 assistance of the Division of State Police within the Department of
27 Public Safety for such purposes.

28 (b) (1) In each motor vehicle accident in which any person is killed,
29 the police officer, agency or individual who, in the regular course of
30 duty, investigates such accident shall use reasonable efforts to identify
31 and notify a member of the person's family or household of the fatality
32 as soon as practicable after the accident. Such notification shall (A)
33 indicate that the person was killed in a motor vehicle accident, the
34 location of the accident and the location of the person's body, and (B)
35 on and after the date the applicable police department, agency or
36 individual adopts a policy under subdivision (3) of this subsection, be
37 made in accordance with such policy.

38 (2) Not later than October 1, 2008, the Police Officer Standards and
39 Training Council established under section 7-294b shall establish a
40 uniform policy for identifying and notifying a member of a person's
41 family or household with respect to any motor vehicle accident in
42 which a person is killed. The council shall make the uniform policy
43 available to each police department, agency or individual required to
44 adopt a policy pursuant to subdivision (3) of this subsection. The
45 council shall design the uniform policy to ensure that such notification
46 is made promptly in a manner appropriate for the identified member
47 of the person's family or household.

48 (3) Not later than January 1, 2009, each police department, agency or
 49 individual that, in the regular course of duty, has responsibility for
 50 investigating motor vehicle accidents shall consider the provisions of
 51 the uniform policy established by the Police Officer Standards and
 52 Training Council pursuant to subdivision (2) of this subsection and
 53 adopt a policy for identifying and notifying a member of a person's
 54 family or household with respect to any motor vehicle accident in
 55 which a person is killed. Each such police department, agency or
 56 individual shall design its policy to ensure that such notification is
 57 made promptly in a manner appropriate for the identified member of
 58 the person's family or household.

59 (4) Policies established or adopted pursuant to this subsection shall
 60 not be considered regulations under section 4-166.

61 (5) For the purposes of this subsection, "police department"
 62 includes, but is not limited to, the Division of State Police within the
 63 Department of Public Safety.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	14-108a

Statement of Purpose:

To require local police departments and the Division of State Police to make reasonable efforts to identify and notify a member of a victim's family or household promptly after a motor vehicle fatality.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]